

Section II: General

II.A. Definitions

In constructing these Regulations, the definitions in Section 81-L of Chapter 41 of the General Laws shall apply (unless a contrary intention clearly appears). In addition, the following words shall have the following meanings:

1. Applicant

The person who applies for the approval of a Plan of a proposed Subdivision. The applicant or applicants must be the owner or owners of all the land included in the proposed subdivision. An agent, representative or his assigns may act for an owner, provided written evidence of such fact is submitted. Evidence in the form of a list of the officers and designed authority to sign legal documents shall be required for a corporation.

2. Board

The Planning Board of the Town of Amherst

3. Building

A dwelling, shed, or garage, etc. not to be interpreted as a sewer, water, or other utility line.

4. Definitive Plan

A map of a proposed subdivision, three acetate overlays, and a Development Impact Statement, submitted to the Planning Board for its approval.

5. Developer or Subdivider

The owner of land being subdivided, acting directly or through an authorized agent or attorney or assigns.

6. Development Impact Statement (DIS)

A documented, written analysis of a proposed subdivision which provides the Planning Board and its agents with information necessary for plan review. Prepared by the applicant, a DIS shall follow the format presented in Appendix A of this document.

Section II.A. (continued)

7. Metric Equivalent Measure

The equivalent distance in feet of even meter distances are used on permanent rights-of-way and easements in anticipation of national conversion to the metric system.

8. Owner

The owner of record as shown by the records in the Hampshire County Registry of Deeds or Land Court.

9. Streets

a. Major Streets – a street which, in the opinion of the Board, is likely to carry substantial volumes of through traffic.

b. Secondary Streets – a street other than a major street which, in the opinion of the Board, is likely to carry traffic other than just to or from lots on that street.

c. Minor Streets – a street which is likely to be used only by vehicles traveling to or from lots on that street.

d. Dead End Streets/Cul-de-sac – a public or private vehicular right-of-way which affords the principal means of access to abutting property and which joins another thoroughfare at only one end.

10. Town Construction Standards

Those specified for site and street work adopted by the Select Board, and revised from time to time.

II.B. Plan Believed Not to Require Approval

Any person who wishes to cause to be recorded in the Registry of Deeds or to be filed with the Land Court a plan of land and who believes that his plan does not require approval under the Subdivision Control Law may submit his plan and application to the Planning Board or to the Town Clerk accompanied by the necessary evidence to show that the plan does not require approval. Four copies of said plan shall be furnished to the Board. (Use Form A) If the Board determines that the plan does not require approval, it shall forthwith without a public hearing endorse on the plan the words “Planning Board approval under Supervision Control Law not required.” The Chair and Vice Chair of the

Section II.B. (continued)

Planning Board are hereby authorized to sign said endorsement. If the Board determines that the plan does require approval under the Subdivision Control Law, it shall, within twenty-one (21) days of submission of said plan, so inform the Clerk of its determination. Before the Board makes its decision, a review by the Town Engineer is required.

II.C. Basic Requirements

No person shall make a subdivision within the meaning of the Subdivision Control Law or any land within the Town or proceed with the improvement or sale of lots in a subdivision, or the construction of ways, or the installation of municipal services therein, unless and until a Defensive Plan of such subdivision has been submitted to and approved by the Board as hereinafter provided, and subsequently recorded at the Hampshire County Registry of Deeds and, in the case of registered land, with the recorder of the Land Court.

II.D. Zoning

Subdivisions shall meet the Rules and Regulations pertaining to lot size and restrictions to water courses under existing zoning laws. No subdivision rules can affect the size, shape, width, frontage or use of lots except that compliance with the requirements of the zoning bylaw will be required.

II.E. Engineering

The Definitive Plan shall be prepared by a Registered Land Surveyor.
Construction details shall be designed by a Registered Professional Engineer.

II.F. Fees

The following application fees shall be paid at the time of the filing of subdivision applications:

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| 1. ANR/Form A | \$50/two lots + \$10 extra lot |
| 2. Preliminary Subdivision Plan | \$500 plus \$75 per lot |
| 3. Definitive Subdivision Plan | \$500 plus \$100 per lot |
| 4. Definitive Subdivision Plan if no Preliminary Plan has been filed | \$1,250 plus \$200 per lot |
| 5. Amendment to a Definitive Subdivision Plan | \$350 plus \$75/affected lot |
| 6. Inspection | \$6/linear foot of new road |

Land Use Permit Applications

Design Review (DRB)	\$20
Site Plan Review (SPR)	\$100/5,000 sq. ft. new/altered lot coverage + \$200/5,000 sq. ft. new GFA
Special Permit (SPP)	No charge if filed coincident with subdivision plan application; otherwise \$100